

REMARKS

The present invention relates to a pressure sensitive adhesive composition.

In the Office Action of June 2, 2009, claims 1 and 4 were rejected under 35 U.S.C. § 103(a) based on Hirose et al (USP 4,463,115), and claims 2 and 6 were rejected under 35 U.S.C. § 103(a) based on Hirose et al in view of Ueda et al (WO 03/35755). Claim 7 was objected to as depending from a cancelled claim (pages 3-4). At pages 2-3, the Examiner explained reasons for the Examiner's conclusion that the comparative showing existing in the specification was insufficient to establish patentability, and the Examiner suggested further comparisons.

Applicant has herein canceled claim 7, thus obviating the objection, and Applicant presents herewith a Declaration Under Rule 132, reporting on additional comparative testing, as discussed below in more detail.

I. Rejections 35 U.S.C. § 103(a)

Submitted herewith is a Declaration Under 37 C.F.R. § 1.132 by Toyohisa Fujimoto demonstrating that unexpectedly adhesive strength is increased and the amount of tackifier resin is reduced by controlling both the hydrolyzable silyl group content and the number average molecular weight of the polyether within the claimed ranges.

First of all, Applicant again notes the existing direct comparison between Example 2 and Comparative Examples 1 and 2 of the present application. However, in view of the

Examiner's concerns relating thereto as indicated at page 2 of the Office Action, the Declaration Under Rule 132 submitted herewith includes Additional Experiments 2-1 and 2-2, in which the amount of tackifier resin and the amount of toluene are the same as these in Example 2. Comparing Example 2 (peel strength: 28 N/25 mm) with Additional Experiment 2-2 (15.5 N/25 mm), it is clear that the pressure sensitive adhesive composition provides a low adhesive strength if the hydrolyzable silyl group content of the polymer is not within the claimed range.

Further, the Examiner suggested (at page 3 of the Office Action) comparison of a composition employing the polymer of Hirose et al with a composition of the present invention. The Declaration includes Additional Experiment 1, in which the amount of tackifier resin and the amount of toluene are the same as these in Example 2. Comparing Example 2 with the Additional Experiment 1 (14.5 N/25 mm), it is clear that the pressure sensitive adhesive composition provides a low adhesive strength if the number average molecular weight (M_n) of the polymer is not within the presently claimed range.

Furthermore, additional Experiment 3 demonstrates that although a high adhesive strength is obtained by adding a large amount of tackifier resin to the composition of Additional Experiment 1, such composition has a problem of residual paste. It appears that such large amount of tackifier resin affects crosslinking of the polyether and produces a large amount of uncrosslinked component.

Hirose et al does not teach or suggest controlling both the hydrolyzable silyl group content and the number average molecular weight of the polyether within the claimed range.

As discussed above, either the small molecular weight of the polymer (as in Additional Experiment 1) or the large hydrolyzable silyl group content (as in Additional Experiment 2-2) decreases the adhesive strength, not to mention a combination of both (as in Additional Experiment 2-1). If both the hydrolyzable silyl group content and the number average molecular weight of the polyether are controlled within the presently claimed range, the composition of the present claimed invention uniquely provides a high adhesive strength, without requiring a large amount of tackifier resin, and the cured product does not have a problem of residual paste.

A person of ordinary skill in the art would not be motivated by Hirose et al to control both of the values, and the effects of the present invention are not predictable from Hirose et al. Accordingly, the present invention is not rendered obvious over Hirose et al and Ueda et al does not remedy the deficiencies of Hirose et al.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby earnestly solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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Joseph H. Rich, Jr.
Registration No. 26,577